

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA  
City Attorney

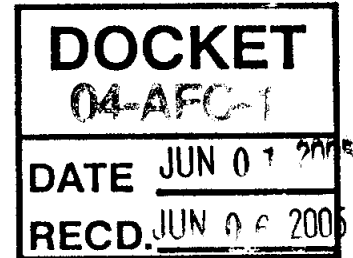
OFFICE OF THE CITY ATTORNEY

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June 1, 2005

Lynne Brown  
Resident, Bayview Hunters Point  
24 Harbor Road  
San Francisco, CA 94124

Michael E. Boyd  
Californians for Renewable Energy, Inc.  
5439 Soquel Drive  
Soquel, CA 95073



Re: **Third Set of Data Requests of Californians for Renewable Energy, Inc., Docket No 04-AFC-01**

Dear Sirs:

The City is in receipt of the Third Set of Data Requests of Californians for Renewable Energy, Inc., (CARE) pursuant to the California Public Records Act (Public Records Act) and Section 1716 of the California Energy Commission's (CEC) Siting Regulations. I have referred your request to the appropriate departments.

Please note that the City will object to any request that is not a proper subject of a Public Records Act request. The City is governed by the San Francisco Sunshine Ordinance (Sunshine Ordinance). *See*, Chapter 67 of the San Francisco Administrative Code. The Public Records Act and the Sunshine Ordinance require the City to disclose any identifiable record in its possession. Neither the Public Records Act nor the Sunshine Ordinance requires the City to create a document that is not already in existence, or to perform new analyses, estimations, or comparisons. Within the ten days provided under the Public Records Act and the Sunshine Ordinance, the City will respond to each request, specifically objecting to the extent the request is not a proper public records request. The City will however respond to each request to the extent required by the CEC Siting Regulations.

In the meantime and in order to provide prompt responses to CARE, below please find web links to information requested in two of your requests.

CARE/CCSF 3.1:

2. Please provide a copy of the CAL ISO Action plan dated November 2004 and any correspondence between ISO and the applicant related to that plan. Including reliability and risk issues associated with the closure of the Hunters Point and Potrero Power Plants and the potential elimination of over 320 MW of in city generation. Please include a discussion of why all four peaking units cannot be sited at the airport in light of the fact that San Francisco Peninsula will rely almost entirely on imported generation with the closure of Potrero and the Hunters Point Power Plant.

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Response: The CAL ISO Action Plan dated November 2004 and related documents are available at the following web links:

<http://www.caiso.com/docs/09003a6080/33/a5/09003a608033a510.pdf>

<http://www.caiso.com/docs/09003a6080/33/ac/09003a608033ac9d.pdf>

<http://www.caiso.com/docs/09003a6080/33/a5/09003a608033a50f.pdf>

<http://www.caiso.com/docs/09003a6080/33/b9/09003a608033b949.pdf>


CARE/CCSF 3.3

1. Please provide the monitoring results including PM 2.5 and PM-10 results from the Department of Environment's Bay CAMP monitoring station and since it began operation and any other community modeling results.

Response: The results from the Bay CAMP monitoring station are available as S.F. - Hunters Pt. at the following web link: <http://gate1.baaqmd.gov/aqmet/aq.aspx>

Very truly yours,

DENNIS J. HERRERA  
City Attorney

  
Jeanne M. Solé  
Deputy City Attorney

✓ cc: Service List 04-AFC-1